

**STATE OF MICHIGAN
STATE BOARD OF EDUCATION**

**Statement Regarding House Bills 4760 and 4761 -
“Ed Flex” Legislation**

Mrs. Gire moved, seconded by Mr. Warren, that the State Board of Education adopt the following statement regarding the “Ed Flex” legislation:

Current State Board Efforts

The State Board of Education recognizes that some public school buildings and districts require dramatic improvement. The State Board has adopted as its current strategic goal “substantial and meaningful improvement in academic achievement in chronically underperforming schools.” Based on the testimony of nationally recognized experts, the State Board has established five task forces to develop policies around critical pathways of school improvement. Bringing flexibility and creativity to local decision-making has been a frequent recommendation of the experts who have testified before the State Board.

Ed-Flex Legislation

By permitting the Superintendent of Public Instruction to waive provisions and rules of the Revised School Code and the State Aid Act, House Bills 4760 and 4761 should permit individual districts to think beyond the limitations prescribed by current law to create original approaches to learning that will boost student performance in all school districts. Although there are a number of safeguards currently contained within the bills, additional safeguards should be added to prevent the waiver of certain key statutory provisions and rules related to health and safety, teacher certification, provisions designed to apply solely to public school academies, and financial obligations and fiscal responsibility.

Recommendation

The Legislature should approve into law House Bills 4760 and 4761 with the following amendments:

- health and safety requirements could not be subject to waiver;
- teacher certification and preparation requirements could not be subject to waiver;
- rule or statute that applies only to public school academies could not be subject to waiver; and
- waivers could not be granted unless assurance that financial obligations and fiscal responsibilities are being met by a school district.

The motion carried unanimously.

Adopted August 23, 2001